

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ESSENTIAL UTILITIES, INC., et al. :  
: CIVIL ACTION  
v. : NO. 22-1559  
:  
SWISS RE GROUP, et al. :

**O R D E R**

**AND NOW** this 1<sup>st</sup> day of **February, 2023**, upon consideration of the motions for judgment on the pleadings filed by the parties (ECF Nos. 57 & 58) and the responses and reply thereto, and for the reasons stated in the accompanying memorandum, it is hereby **ORDERED** that:

1. Defendants' motion for judgment on the pleadings on Counts I and V of the amended complaint (ECF No. 57) is **DENIED**; and

2. Plaintiffs' motion for partial judgment on the pleadings on the issue of Defendants' duty to defend in Count V of the amended complaint (ECF No. 58) is **GRANTED**.

It is further **ORDERED** that:

3. upon consideration of Plaintiffs' motion for leave to file a reply (ECF No. 63) and the response thereto, it is hereby **ORDERED** that the motion is **GRANTED**; and

4. the parties shall file a revised joint Rule 26(f) report **by March 1, 2023**, detailing what issues, if any, are left in the case.

**AND IT IS SO ORDERED.**

*Eduardo C. Robreno*  
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EDUARDO C. ROBRENO, J.